

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

KENNETH FITCH
ESTATE OF DIANNE L. FITCH,

Plaintiffs,

v.

FEDERAL HOUSING FINANCE AGENCY,
FEDERAL NATIONAL MORTGAGE
ASSOCIATION, WELLS FARGO BANK,
N.A., HARMON LAW OFFICES, P.C., 266
PUTNAM AVENUE, LLC, RUSHMORE
LOAN MANAGEMENT SERVICES, LLC,
US BANK NATIONAL ASSOCIATION AS
TRUSTEE FOR RMAC TRUST, SERIES
2016-CTT,

Defendants.

CIVIL ACTION NO. 1:18-cv-00214-JJM-PAS

JOINT MOTION TO EXTEND DISPOSITIVE MOTION DEADLINE

Defendants, Federal National Mortgage Association (“Fannie Mae”) and Federal Housing Finance Agency (“FHFA,” together with Fannie Mae, the “Defendants”) and Plaintiffs, Kenneth Fitch and the Estate of Dianne L. Fitch (“Plaintiffs”), request an extension of the Court’s deadline for all parties to file dispositive motions, currently set for August 31, 2021, by a period of sixty (60) days, up to and including November 1, 2021. In support of this motion, the Defendants and Plaintiffs state as follows:

1. Plaintiffs filed the instant complaint on or about April 19, 2018. (See ECF No. 1.)
2. On or about January 14, 2020, the Plaintiffs filed an amended complaint. (See ECF No. 60, the “Amended Complaint.”)
3. Defendant, 266 Putnam Avenue, LLC (“266 Putnam”), answered the Amended Complaint on or about February 3, 2020 and brought a crossclaim against Fannie Mae. (See ECF No. 63.)

4. The Defendants answered the Amended Complaint and 266 Putnam's crossclaim on or about March 27, 2020. (*See* ECF Nos. 73-74.)

5. Since the Defendants answered the Amended Complaint and crossclaim, the parties have engaged in motion practice concerning the Plaintiffs' efforts to obtain discovery from the Defendants. (*See, e.g.*, ECF Nos. 100-101, 105, 107.) Most recently, on August 26, 2021, the Court overruled the Plaintiffs' objection to Magistrate Judge Sullivan's denial of the Plaintiffs' motion to compel production of certain documentation from Fannie Mae. (*See* ECF No. 139.)

6. Pursuant to a text order entered by the Court on July 7, 2021, dispositive motions must be filed on or before August 31, 2021. (*See* Docket Entry dated 7/7/2021.)

7. Based on delay caused by the above-mentioned motion practice, the parties require additional time to prepare dispositive pleadings in this matter.

8. The Defendants and Plaintiffs request an extension of the deadline for all parties to file dispositive pleadings by a period of sixty (60) days, up to and including November 1, 2021 for all parties in this case.

9. Counsel for the Defendants conferred with counsel for Defendants, Wells Fargo Bank, N.A., 266 Putnam Avenue, LLC, and Rushmore Loan Management. All parties assented to the extension sought in this motion.

10. No party will be prejudice by the extension sought in this motion.

WHEREFORE, Defendants, Federal National Mortgage Association and Federal Housing Finance Agency, and Plaintiffs, Kenneth Fitch and the Estate of Dianne L. Fitch, move this Court to extend the deadline for dispositive motions by all parties in this matter by a period of sixty (60) days, up to and including November 1, 2021.

Respectfully submitted,

KENNETH FITCH
ESTATE OF DIANNE L. FITCH
By their attorney,

/s/ John B. Ennis
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FEDERAL HOUSING FINANCE AGENCY
and FEDERAL NATIONAL MORTGAGE
ASSOCIATION

By: Their Attorney

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Dated: August 31, 2021

CERTIFICATE OF SERVICE

I, Samuel C. Bodurtha, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on August 31, 2021.

/s/ Samuel C. Bodurtha
Samuel C. Bodurtha, Bar #7075